

MOTION: Councilmember Meyering moved and Councilmember Whittum seconded the motion to amend the loan agreement between the City and Sunnyvale Community Services as well as the promissory note to delete the charging of interest and the accrual of interest starting September 16, 2013.

Councilmember Davis raised a point of order and objected on the same grounds.
Mayor Spitaleri ruled the motion in order.

VOTE: 2 - 5 (Vice Mayor Griffith, Mayor Spitaleri, Councilmembers Moylan, Martin-Milius and Davis dissented)
Motion failed.

MOTION: Councilmember Moylan moved and Mayor Spitaleri seconded the motion to approve Alternative 1: Forgive the debt now, including principal and interest accrued to date (\$525,000) as requested, leaving the City's use restriction and reversion of assets requirements in place on the property until transferred to a replacement property or until 2043, whichever occurs first.

VOTE: 3 - 4 (Councilmember Whittum, Vice Mayor Griffith, Councilmembers Martin-Milius and Davis dissented)
Motion failed.

MOTION: Councilmember Whittum moved and Moylan seconded the motion to bring back a modified version of Alternative 1: Forgive the debt now, including principal and interest accrued to date (\$525,000) as requested, leaving the City's use restriction and reversion of assets requirements in place on the property until transferred to a replacement property or until 2043, whichever occurs first, subject to staff researching and coming back with modification of the language to include terms that in the unlikely event Sunnyvale Community Services should cease to provide those services, the City would be entitled to and have priority to the equity remaining in that operation so that the City could have control over transferring it to some similar service.

VOTE: 5 - 2 (Vice Mayor Griffith and Councilmember Davis dissented)

MOTION: Councilmember Meyering moved to continue the remaining items on the agenda to the next Council meeting and make them number 1 and number 2 on the next Council meeting and this Council meeting be adjourned immediately.
Motion died for lack of a second.

7. RTC 13-201 Discussion and Possible Action to Adopt Resolutions to Initiate the Annexation Process for Two Island Areas Located within the City of Sunnyvale Urban Service Area but Currently under the County of Santa Clara's Jurisdiction (Central Expressway and Butcher's Corner)

Planning Officer Trudi Ryan presented the staff report.

Public Hearing opened at 12:12 a.m.

Don Haislet spoke in support of holding a hearing and the principle of the annexation.

Sameen Bhola spoke in support of a public hearing on the annexation.

Sandra Ansen spoke in support of the prior speakers comments and stated she has an issue with the zoning, not the annexation.

Chandra Srivivasaiah expressed concerns regarding school crowding, decreased property values and increased traffic. Srivivasaiah spoke in favor of annexation after changing the zoning.

Steve Sarrette spoke in support of annexation.

Chen Peng stated she concurs with the concerns of previous speakers and spoke in support of a public hearing.

Holly Lofgren expressed concerns regarding zoning including traffic, school enrollment, height, the heritage tree at the site, and public notices.

Oliver Meng spoke in support of annexation and keeping the zoning the same.

Kiran Joshi concurred with the concerns of the previous speakers and expressed concerns regarding possible shading of his property and lowered property values.

Andy Frazer spoke in support of a public hearing on annexation and a public hearing on the consideration of rezoning on the same night.

Tap Merrick stated it's critical to have the zoning come before the annexation.

Aarthi Rishi expressed concerns regarding the annexation and encouraged looking at the zoning before annexation.

Martin Landzaat provided a PowerPoint presentation regarding the native oak tree on the Butcher property and asked the Council to enhance the tree preservation ordinance before annexing the property, and recommended the City purchase part or all of the Butcher property.

Andy Butcher spoke regarding the oak tree on the property and invited all to come look at it.

Glenn Hendricks, member of the Planning Commission speaking for himself, spoke in support of the annexation hearing and recommended those interested in the issue review the El Camino Precise Plan.

Public Hearing closed at 12:35 a.m.

MOTION: Councilmember Davis moved and Councilmember Moylan seconded the motion to approve Alternative 1: Adopt resolutions to set the next public hearing date and initiate the annexation process for two island areas located within the City of Sunnyvale Urban Service Area but currently under the County of Santa Clara's jurisdiction (Central Expressway and Butcher's Corner).

VOTE: 6 - 1 (Councilmember Meyering dissented)